

## ISENHOWER'S FREED

### ALL TESTIMONY IN AND CASE IS NOW READY FOR JURY

### FIVE MEN SAW HIM SLAY

State Makes Strong Case—Defendant Admits Shooting at Boulware, Who He Says Had Shot at Him—Pleads Self-Defense—Threw Away His Pistol After the Slaying.

After being out two hours, the jury trying Ernest Isenhower returned a verdict Friday afternoon at 3.30 o'clock of "not guilty." The other Isenhower cases were continued until the April term of court.

Every seat in the York court room was occupied when court convened at 9.45 Friday morning. Many persons were turned away by the bailiff because there was no place to seat them. The York county court house auditorium will seat only about 240 persons.

Before former Gov. Blaise concluded the argument of counsel for the defense, Judge Rice warned the audience against making any expression or indication of approval or disapproval of anything that Gov. Blaise or Solicitor Henry might say in their appeals to the jury.

Although the jury had been sequestered in the court house three days, the members of the jury appeared quite fresh when they came into the court room at 9.45.

Former Gov. Blaise spoke one hour and ten minutes. He failed to inject politics into his remarks, but was expected to do so, but dealt with the facts in the case almost wholly. In conclusion he told the jury that the state of South Carolina was watching them and waiting their verdict with interest, not because of Isenhower or the law of South Carolina, but because they were anxious to see whether the 12 men would uphold the women of South Carolina.

"Whether or not the law of South Carolina is being or is waste paper was the question before the jury," declared Solicitor Henry, who closed the argument of counsel for the state. "You must try this case in accordance with the law of the state, the testimony and the law of South Carolina. If you disregard the law, then there is no safety in this country." Solicitor Henry spoke about one hour.

In his charge to the jury, Judge Rice told that body they could not return a verdict on the ground of the testimony given on Wednesday and Thursday, as taken from The News and Courier, to whom they were dispatched by Mr. L. H. Wannamaker Jr.

These five witnesses declared they saw Isenhower, county treasurer; W. W. Turner, superintendent of education; S. Y. Rose, George M. Clowney and A. W. Brice, all of Fairfield county. The testimony was substantially in other witnesses as to the circumstances surrounding the alleged shooting of Boulware by Isenhower, therefore a synopsis only of Mr. Scruggs' testimony is given:

Mr. Scruggs gave his version of the tragedy from the time Sheriff Hood, his prisoner and Clyde Isenhower, the latter a brother of the defendant, had already been shot. Hood's deputies and Smith had gone up on the steps to the Court House Office Building, who had been in the sheriff's party, was seen coming down the steps.

When Boulware was part of the way down, said witness, Isenhower, who was on the ground, fired point blank at Boulware, who stood suddenly turned around and went rapidly up the steps and into the court room.

Dr. J. E. Douglas of Winnsboro testified that the middle of the abdomen; that the bullet, which never was located, had necessarily come from below where Boulware was when shot.

With one or two exceptions the witnesses stated that Boulware was in his hand at any time during the shooting. Turner testified that Boulware, after being shot, reached for his pistol, but did not draw it.

A. W. Brice testified that Boulware drew a pistol after he was shot by Isenhower and Isenhower ran behind a column. No witness testified that Boulware drew a pistol or had one in his hand before he was shot. Other witnesses besides those mentioned said they saw Isenhower shoot at the steps, but could not tell at whom he shot.

W. C. Cathcart, former police chief of Columbia, and until recently connected with the dispensary raiding squad in Charleston, was the first witness for the defense. His testimony had no direct bearing on this case. Judge Rice would not permit Smith to make a statement to Cathcart and Hood at the penitentiary, where the negro was confined a while for safekeeping. Cathcart was chief in Columbia at the time.

F. L. Lathan's story of the tragedy was substantially that of other witnesses, except that he testified that Boulware was after a pistol at Isenhower, who dodged around a post.

G. B. Hagood, last witness of the day for the defense, said he saw Ernest Isenhower "dodging around."

On Thursday the morning was consumed in hearing testimony and the afternoon was given over to the speeches of counsel, who were still at it when adjournment was taken until Friday. The defense put up their witnesses, including the defendant.

## FACE DOUBLE BREAK

### U. S. ABOUT TO END RELATIONS WITH TEUTONIC POWERS

### STIFF NOTE TO AUSTRIA

Lansing Speaks Fairly to Hapsburg Empire, Saying Good Relations Rest Upon Common Regard for Law and Humanity—Text of Protest on the Ancona.

Government officials are agreed that the relations between the United States and central European powers, Germany and Austria, present the most critical situation since the beginning of the war.

A break in diplomatic relations with Austria appears imminent. State department officials are not hopeful that Austria will accept the strong demands in the Ancona note. Austria's silence three days after the note was delivered by Ambassador Penfield is considered ominous.

It is indicated, too, in official circles that the United States will demand the recall of Baron Erich Zwickel, the Austrian chargé.

Manifestations of displeasure by Germany over the demand for the recall of Captains Boy-Ed and von Papen, the two embassy attaches, have been reported.

The desire of the United States to give the Austrian government sufficient time to answer the Ancona note is said to have delayed the note, according to the recall of Baron Zwickel, the Austrian chargé.

It was insisted reported at the state department that Secretary Lansing said the Austrian chargé, Penfield at Vienna to demand the recall of Baron Zwickel as soon as that action can be taken without complicating the pending Ancona negotiations.

The next of the note, which was handed to the Austrian foreign office Thursday by Ambassador Penfield, follows:

"Department of State, Washington, Dec. 6, 1915. 'Please deliver a note to the minister of foreign affairs, textually as follows:

"Reliable information obtained from American and other sources indicates that passengers on the steamship Ancona shot that on November 7 a submarine flying the Austro-Hungarian flag fired a solid shot toward the steamship, which caused the death of a passenger and the wounding of others. The submarine was destroyed, but the crew and passengers were able to take to the boats the surviving passengers. It is believed that the submarine was fired upon and sunk her while there were yet many persons aboard, and that by gun fire and foundering of the vessel a large number of persons lost their lives or were seriously injured, among whom were citizens of the United States.

"The public statement of the Austro-Hungarian admiralty has been brought to the attention of the government of the United States and the government of the Austro-Hungarian empire. This statement substantially confirms the principal declaration of the survivors, as it admits that the Ancona after being shelled was torpedoed and sunk while persons were still on board the vessel. The Austro-Hungarian government has been advised, through the correspondence which has passed between the United States and Germany, of the attitude of the government of the United States as to the use of submarines in attacking vessels of commerce, and the acquiescence of Germany in that attitude, yet with full knowledge on the part of the Austro-Hungarian government of the embargo committed by the United States as expressed in no uncertain term to the ally of Austria-Hungary, the commander of the submarine which attacked the Ancona failed to put in a place of safety the crew and passengers of the vessel which they purported to destroy because, it is presumed, of the impossibility of taking it into port as a prize of war.

"The government of the United States considers that the commander violated the principles of international law and of humanity by shelling and torpedoing the Ancona before the persons on board had been given sufficient time to leave the vessel. The conduct of the commander can only be characterized as wanton slaughter of defenseless, non-combatant citizens, since at the time the vessel was not, it appears, resisting or attempting to escape, and no reason is sufficient to excuse such an attack, not even the possibility of rescue.

"The government of the United States is forced, therefore, to conclude either that the commander of the submarine acted in violation of his instructions or that the Imperial German government failed to credit the Austro-Hungarian government with an intention to permit its submarines in accordance with the principles of humanity. The government of the United States is unwilling to believe the latter alternative and to credit the Imperial German government with an intention to permit its submarines to destroy the lives of helpless men, women and children. It prefers to believe that the commander of the submarine committed this crime without authority and contrary to the general or special instructions which he had received.

"As the good relations of the two countries must rest upon a common respect for the law and humanity of the government of the United States can not

## WILSON TELLS COUNCIL

### DEMOCRATS SURE TO WIN

President Talks Informally With National Committee and Sees Victory Ahead

President Wilson told members of the Democratic national committee at a luncheon in the Senate dining room last night that the Republicans had no issue for the next campaign except the tariff and that Democracy was certain to win.

"Our constructive work has started an irresistible movement, which can not be stopped," he declared. "Any one who tells you otherwise is talking through his hat."

Mr. Wilson said nothing to indicate whether he would again be a candidate for the presidency.

Throughout his entire talk, which dealt with subjects ranging from Democratic chances of victory to features of the "isolated" life of a chief executive, the president was informal and familiar in his manner.

He referred to the head of the table he thrust his hands into his trouser pockets, cast aside what he termed his "dress parade" language and talked freely and confidentially.

Members of all factions greeted the president enthusiastically. They left the White House in buoyant spirits, declaring that his optimism had inspired them with new confidence.

It was the first time, committee members said, that the president had ever addressed a whole in the White House. They expressed regret that the text of the president's speech would not be given out, as they regarded it as a vigorous campaign argument.

At the outset the president said he wanted the members to feel that they were a part of a big family, of which he was a member. He asked whether any one present could suggest any plan for the tariff, which he said the Democratic opposition could advance, and they shook their heads. Nobody knew at this time, he added, what sort of a tariff measure must be framed to meet changed conditions resulting from the war.

Discussing parties and policies generally, the president insisted that the Democratic view was that the majority should rule, while that of the Republicans was that a "board of trustees" should act for the people.

Touching upon the Mexican problem, he said this same majority rule should apply in Mexico as well as in this country. Without regard to the wishes of persons residing in other countries, who hold Mexican property, he expressed the belief that in due time peace would come in Mexico, when the people were thoroughly tired of raising disturbances.

## FINAL COTTON ESTIMATE ANNOUNCED NOON FRIDAY

### Government Says Crop Amounts to 11,101,000 Bales—Comparison with Various States.

The 1915 cotton crop amounts to 5,323,883,000 pounds, equivalent of 11,101,000 500-pound bales, the department of agriculture announced Friday in its final estimate of the season.

That is 2,390,000,000 pounds less than the 1914 crop of 7,713,883,000 pounds, or 21.1 per cent. The value of the lint this year, however, is approximately \$74,000,000 more than last year's \$74,000,000.

Cotton was being sold by farmers on December 1 at 11 1/2c per pound, while last year's crop was getting 8 1/2c a pound. At the higher price this year the crop is worth \$605,200,000, while last year's lint was worth \$525,200,000.

This year's cotton crop will amount to 11,101,000 bales of 500 pounds, gross weight, exclusive of lint, the department of agriculture announced Friday in its final cotton report of the season. That compares with 13,425,000 bales last year, or 17.3 per cent. In 1913 and 1914, 13,033,225 bales the average total production, exclusive of lint, for the five years, 1909-1913.

The final official figures giving the exact size of this year's crop will be issued by the census bureau next March when complete statistics from the gineries have been compiled.

The estimated production, exclusive of lint, by states, with comparisons, follows:

Mo.	52,000	61,752	64,876
Va.	19,125	19,124	19,093
N. C.	16,000	25,222	20,538
Ark.	7,000	12,000	11,154
Tex.	1,100,000	1,538,810	1,294,422
Fla.	1,900,000	2,718,027	2,016,598
Ala.	50,000	1,255	1,661
Miss.	1,050,000	1,751,375	1,354,570
Okla.	1,000,000	1,453,250	1,111,000
Ind.	360,000	449,452	240,715
Ill.	3,775,000	4,912,112	2,720,765
Ark.	1,785,000	1,956,170	802,154
Tenn.	295,000	383,517	335,856
Okla.	630,000	1,282,135	870,349
Cal.	300,000	3,335	3,780
Others	6,000	14,045	14,713

## MAKING SHELLS

### Charleston Navy Yard is Now Manufacturing Ammunition.

The United States navy yard at Charleston is going into the shell finishing business. Some time ago the yard received the work of machining, or finishing, thirty thousand three-inch shells. Machine tools have been installed at the yard for the purpose of finishing the shells for the Charleston yard. The officials, however, expect more orders to follow as the increase in preparedness is being made in the country. The rough shells are first made in the north, and shipped to Charleston for the finishing. From Charleston the cases are sent back to Washington to be reshipped to the government munitions factory at Ludlow Head, where the shells are loaded.

It is expected to do otherwise than demand that the Imperial and royal government denounce the sinking of the Ancona as an illegal and indefensible act; that the officers and crew be punished, and that reparation be made for the citizens of the United States who were killed or injured by the attack on the vessel.

## SPEAKS OF PEACE

### GERMAN CHANCELLOR ANSWERS A SOCIALIST QUESTIONER

Reichstag Discussion Set to This Country by Wireless—Germany Ready to Listen to Proposals From Her Enemies, but is Not Willing to Make Move Towards That End.

Berlin reports by wireless a discussion of possible peace in the Reichstag Thursday. It was begun by the Socialist interpellation of Dr. Scheidemann, who asked:

"Is the Imperial chancellor ready to give information as to the conditions under which he would be willing to enter into peace negotiations?"

Dr. Scheidemann protested against the attitude of those who dream of the annexation of much territory, and spoke with equal earnestness in denouncing the social enemies of Germany who advocate dismemberment of this country. He protested also against the crusade in foreign countries in opposition to "Prussian militarism" because this conception was wrong, and furthermore, because it was a matter which concerned no one but the Germans themselves. The French, he said, should abandon the idea of annexing Alsace and Lorraine.

Although Germany had won enormous successes with her armies, he continued, they had been gained at the price of heavy sacrifices. In view of the present situation the question of peace was important in all countries. The difficulty lay in the fact that the statesmen in power had to begin negotiations, fearing such a step would be considered a proof of weakness.

In this connection Dr. Scheidemann spoke of the statement made by the British House of Commons by Baron Courtney that the British government should show itself ready to accept any suggestions which would end the war. He referred to the attitude of Italian Socialists and to the advances of Count Andrássy, former Hungarian premier. He asserted that according to reliable private information the longing for peace in France was general.

Dr. Scheidemann insisted that his remarks, like those of Baron Courtney, could not be interpreted as a sign of lessening strength, but were made in view of the fact that the war was bringing Europe to the verge of ruin.

The idea that it was possible to starve Germany, he continued, should be abandoned. According to the recent census there were twenty million swine and fifty-five million kilograms of potatoes in Germany, which proved there was sufficient food for all.

The words of Emperor Wilhelm, that for Germany this was no war of conquest, were recalled by the speaker. Inasmuch as Germany has defended her frontiers successfully, it was proper to ask the chancellor whether he declared himself in favor of peace. He declared that Germany insisted upon being treated as the equal of other nations and repudiated the idea that Germany hegemony was the end of the present war.

The chancellor replied: "As long as in the course of our present war the guilt and ignorance of statements are entangled with confusion of public opinion it would be folly for Germany to make peace proposals which would not shorten, but would lengthen the duration of the war. First, the marks must be torn from their faces."

"If our enemies make peace proposals compatible with Germany's dignity and safety then we shall always be ready to discuss them. Fully conscious of our unprecedented military successes, we decline to receive any proposal for peace which does not bring the war to an end."

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The chancellor referred to attempts of the Entente powers to improve their position in the Balkans by threats against Greece and Bulgaria, which had raised a cry against "Prussian militarism" now threaten the Greek government with the power of the British navy. Having adopted this attitude they not only refuse to consider the proposal that Germany had acted improperly in invading Belgium.

"Why did not the Westminster Gazette tell this on August 4 of 1914," the chancellor asked, "that the world would always hear the truth at the beginning of the war. Discussing the military situation, the chancellor stated that German forces held strong advanced positions in the north of France and that British attempts to break through the western front had failed, notwithstanding the numerical superiority of Germany's opponents there. On the Austro-Italian front he said the Austro-Hungarian forces were holding fast and the only successes of the Italians had established self-government in towns which they had meant to capture.

The chancellor then took up the question of the conquest of territories. He said the economic life of Belgium was reviving slowly. The coal mines were almost as busy as in times of peace, having produced thirty-two hundred thousand tons in the last three months. Belgium, he continued, was suffering because England was preventing it from exporting goods over seas.

Germany's task in the conquered territories of Russia, he said, had been particularly hard, on account of conditions prevailing under Russian administration. The cities were without sewage facilities and their administration had been in the hands of the Russian bureaucracy.

The Germans had established self-government in Poland, where the new form of administration was being put into effect with zeal and intelligence. Germany had constructed more than four thousand kilometers—about twenty-six hundred miles—of roads. The schools had been reopened and the ports of the mother tongue of the people, which had been in the hands of the Russian administration, had been reopened. The chancellor said that as late as February the Russian government had declined to introduce the Polish language in the universities.

In Belgium, he continued, attendance at school had been made compulsory. The Flemish language for several years had been suppressed, was now being used. Newspapers of the Entente nations, Dr. von Bethmann-Hollweg continued, were full of sensational claims about Germany, announcing in headlines: "Germany defeated, Germany at her end, Germany begs for peace." Many other nonsensical

## AMERICAN SHIP FIRED AT

### BY AUSTRIAN SUBMARINE

Message Received From Cruiser Des Moines Explains Message of Last Week.

Word from the cruiser Des Moines was received Tuesday at the navy department to the effect that the American boat sending a S. O. S. call out last Saturday off Crete was the Standard Oil tanker Petrolite, which was fired on, presumably by an Austrian submarine, the man was wounded, advised stated.

The dispatch from the Des Moines came from Crete, island of Crete, and reported that the following message had been picked up Sunday: "American steamship Petrolite, Alexandria to New York, attacked by a submarine Sunday morning at six-twenty, longitude 22.25 north, latitude 33.3 west. One man not seriously injured. The Ancona and reparation are complied with."

The commander of the cruiser said he had obtained from the commander of the Petrolite the additional information that the submarine which attacked the American steamer flew the Austrian flag and looked like a big cruiser. The man who was wounded was struck a fragment of an explosive shell fired from the submarine. The attack took place about three hundred and fifty miles west of Alexandria and just off the western end of the island of Crete, distant about one hundred and twenty miles.

Furthermore, it was stated Friday, upon high authority, the United States expect a prompt reply to its communication. Austria's delay in furnishing answers to the questions submitted to Baron Burian, minister to foreign affairs, by American Ambassador Penfield, a few days after the sinking of the Ancona, has not served to ease the situation.

The foreign officer, however, did inform Ambassador Penfield it desired more time to answer the inquiry, but American officials are unable to clearly understand why it is impossible for the Austrian government to secure the information desired.

It has been pointed out that if the commander of the submarine which sank the Ancona had taken his vessel out on another cruise he should have returned to his base long before this time. It was understood that officials are certain that it has been possible for the Austrian government to communicate with the commander before the United States has sent to Austria-Hungary a note asking for a disavowal of the submarine attack upon the Italian liner Ancona, assurances that such an act will not be repeated, some degree of punishment for the sinking of the submarine and reparation for the American lives lost.

The communication started by cable Tuesday from the state department to Ambassador Frederick C. Penfield, Vienna, was submitted to the United States whether the commanders of the submarines had been given instructions similar to those which the German government gave to its commanders. It was understood that the note referred particularly to the shell of the submarine which killed or wounded some of the persons on the Ancona, after she had halted, and asked for an explanation of that point.

In dispatching the note Secretary Lansing acted with the approval of and after consulting with President Wilson. It is stated authoritatively that the document, which is being drafted as a preliminary brief and decidedly vigorous in tone, was so drafted as to attempt a settlement of the controversy at once, without bringing on a series of communications such as followed the sinking of the Ancona.

High officials are said to be of the opinion that the situation is one which calls for grave consideration, the state of affairs having become so complicated that Secretary Penfield was dispatched by reports of attacks upon American off-carrying vessels in the Mediterranean, presumably by Austrian submarines.

News that the note had been sent came as a complete surprise to officials in Washington generally, the department early in the week being that no positive and corroborated evidence to what actually had occurred in the Ancona went down had been received.

It was said that the reports received were fragmentary, conflicting or contradictory, and that until a reply to the inquiries submitted to officials in Washington generally, the department early in the week being that no positive and corroborated evidence to what actually had occurred in the Ancona went down had been received.

It was suggested in some quarters that information of a most conclusive nature "comes to Secretary Lansing, probably late Monday night, and that it had been decided then that the protest should go forward immediately. Whether Ambassador Penfield's dispatch to Secretary Penfield in Vienna formed the basis of the Vienna foreseen by the United States could not be ascertained.

The belief prevails, however, that the state department has received reports from Austria-Hungary, which are entirely untrue."

This campaign, he continued, began at the moment when the diplomatic efforts of the Entente in the Balkans broke down.

"After these failures," he said, "the Entente powers needed something in order to divert public attention from their own miserable condition."

The chancellor urged the people of Germany to consider only the facts—the real situation in this country and on the fighting front.

"Against the convincing power of the facts of our enemies are helpless," he said, "the only thing which could shake our confidence."

"If our enemies now refuse to recognize the facts they will have to go so later."

When the chancellor finished the whole cabinet joined in an outburst of applause.

No Pressure Upon Greece. Vienna reports Friday it is authoritatively stated that the central power has brought no pressure whatever to bear on Greece. The view is held that the position of Greece is very difficult and that the Greek government is endeavoring to preserve not only neutrality but complete independence.

Not in Session Wednesday. Congress was not in session Wednesday. Both houses had adjourned over until Friday in order to complete the organization of working committees.

Lunch With the President. Members of the Democratic national committee were the luncheon guests of President Wilson at the White House Wednesday.

## SENDS STIFF NOTE

### AUSTRIA ASKED TO DISAVOW ATTACK ON ANCONA

Secretary Lansing, With President's Approval, Words Note to Avoid Prolonged Negotiation Such as Followed Lusitania Incident—Stratagem Grave.

Diplomatic relations with Austria are in danger of being broken off by the United States unless the urgent demands of the American note to disavow the sinking of the Ancona and reparation are complied with.

Furthermore, it was stated Friday, upon high authority, the United States expect a prompt reply to its communication. Austria's delay in furnishing answers to the questions submitted to Baron Burian, minister to foreign affairs, by American Ambassador Penfield, a few days after the sinking of the Ancona, has not served to ease the situation.

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To Be Recalled Immediately. Ambassador Bernstorff believes that Captains Carl Boy-Ed and Franz von Papen, respectively naval and military attaches of the embassy at Washington, be immediately recalled.